

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Dwayne Tyrone Richardson**

**Docket No. 5:04-CR-82-1BO**

**Petition for Action on Supervised Release**

COMES NOW Scott Plaster, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, Dwayne Tyrone Richardson, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With the Intent to Distribute More Than 50 Grams of Cocaine Base, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge on September 3, 2004, to the custody of the Bureau of Prisons for a term of 120 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

Dwayne Tyrone Richardson was released from custody on July 12, 2013, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** On December 27, 2015, the defendant was arrested and charged with Driving While Impaired in Johnston County, North Carolina. The defendant reported the arrest immediately. When asked about the circumstances that led to his arrest, the defendant stated he had consumed alcohol at his residence and had gone to bed when his son called and said he (son) needed a ride because he had had too much to drink. Without thinking, the defendant said he went to get his son, and in the process, he was stopped for Driving While Impaired. Since the defendant's release from prison in 2013, there have been no other violations of supervision. The defendant was referred to a local agency for an alcohol assessment so he can attempt to get his driving privilege restored. Rather than return to court, it is recommended the defendant complete 24 hours of community service work as a punitive sanction for his noncompliance. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall perform 24 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required fee.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Michael C. Brittain

Michael C. Brittain

Senior U.S. Probation Officer

/s/ Scott Plaster

Scott Plaster

U.S. Probation Officer

310 New Bern Avenue, Room 610

Raleigh, NC 27601-1441

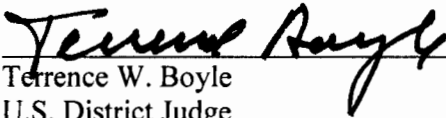
Phone: 919-861-8808

Executed On: January 5, 2016

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ORDER OF THE COURT

Considered and ordered this 7 day of January, 2016 and ordered filed and made a part of the records in the above case.

  
Terrence W. Boyle  
U.S. District Judge